

ENTERED

January 17, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

AHMED ISMAIL, <i>et al</i> ,	§	
	§	
Plaintiffs,	§	
VS.	§	CIVIL ACTION NO. 2:17-CV-278
	§	
VOLVO TRUCKS NORTH AMERICA, INC., <i>et al</i> ,	§	
	§	
Defendants.	§	

ORDER ON MOTION FOR LEAVE

Before the Court is Plaintiffs' Motion for Leave to Amend Case Caption (D.E. 16), reciting that they erroneously sued Volvo Trucks North America, Inc. (Volvo Trucks) in their Complaint (D.E. 1) and they seek to change the caption of this case to reflect having sued Volvo Group North America, LLC (Volvo Group). Volvo Group has appeared and answered, pointing out the error. D.E. 10. Volvo Group does not oppose the motion.

After due consideration, the Court DENIES the motion (D.E. 16) as the caption reflects the pleading and there is no evidence of record to support treating Volvo Trucks and Volvo Group as interchangeable business entities. On its own motion, however, the Court GRANTS Plaintiffs leave to amend their complaint on or before January 31, 2018, to properly name the party they currently wish to sue.

ORDERED this 17th day of January, 2018.



NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE